

INFORMATION LETTER

Not for
Publication

NATIONAL CANNERS ASSOCIATION

For Members
Only

No. 1379

Washington, D. C.

March 22, 1952

Court Voids Sections Of Federal Lobbying Act

A special three-judge federal court sitting in the District of Columbia last week declared many of the principal provisions of the federal Lobbying Act to be unconstitutional. The ruling was handed down in an action brought by the National Association of Manufacturers to enjoin the Attorney General of the United States from prosecuting the NAM for violation of certain reporting and filing provisions of the Act.

Sections 303 through 307 of the Federal Regulation of Lobbying Act require any person (other than a political committee, but including a trade association) who "directly or indirectly, solicits, collects, or receives money" for lobbying purposes to keep detailed accounts and file public statements of contributions and expenditures. Section 310 of the Act makes punishable by fine or imprisonment, or both, and by loss of the right to attempt to influence, directly or indirectly, for a period of three years the passage or defeat of any proposed legislation, any violation of these provisions.

The court concluded that the sections requiring the keeping of accounts and the filing of statements by any person who "directly or indirectly, . . . receives money . . . to be used principally to . . . influence, directly or indirectly, the passage or defeat of legislation" are "manifestly too indefinite and vague to constitute an

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Mexican Farm Labor Program

The House and Senate on March 14 passed and sent to the President S. 1851, the bill setting up penalties for wilfully or knowingly inducing an alien to enter the United States illegally or for concealing an illegal alien.

It is expected that the bill will receive prompt White House approval and that negotiations will get under way soon with Mexico for a new international agreement and work contract for the employment of Mexican nationals in agriculture.

N.C.A. Presentation on Suspension of Price Controls

N.C.A. has reproduced as a Supplement to the INFORMATION LETTER of March 15 the text of the N.C.A. presentation recommending suspension of price controls on canned foods at a hearing on the Defense Production Act conducted March 11 by the Senate Committee on Banking and Currency. The Supplement reproduces the text of the statement together with charts, prepared for presentation by Henry P. Taylor, 1950 President and N.C.A. witness at the hearing, and a transcript of the question-and-answer testimony between members of the Committee and Mr. Taylor.

Labor Dept. Proposes to Amend Child Labor Recordkeeping

The Secretary of Labor has proposed new regulations requiring the keeping of records by employers of minors in agriculture and in other occupations. Prior to final adoption of the proposed regulations, the Secretary will give consideration to any data, views or arguments submitted in writing to the Labor Department before April 19.

Existing recordkeeping regulations contain no special requirements applicable to employers of minors whose employment may be subject to the child labor provisions of the Act. The proposed regulations require the keeping of special records pertaining to minors by all employers of children under 18 years of age in agriculture. These records would be kept only for calendar weeks in which school is in session for the school district where the minor is living while so employed.

Special records also would be required of every employer who employs minors under 19 years of age in any other occupations, including employment in canning plants.

The information required in the specified records is spelled out in the text of the proposed regulation which follows. Canners who wish to indi-

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OPS Committee To Report Soon On Suspension and Decontrol

OPS plans to make public within two weeks a report of its committee studying suspension and decontrol, the first set of standards for suspension of controls, and suspension action on certain items.

This was revealed by Price Stabilizer Ellis Arnall March 19 in hearings by the Senate Committee on Banking and Currency on the Defense Production Act.

In informing the Committee of the forthcoming announcement on suspension and decontrol, Mr. Arnall also stated that present law contains authority for the suspension of price controls.

The OPS committee to study the question of suspension of price ceilings or decontrol was appointed February 11 (see INFORMATION LETTER of Feb. 16, page 103).

The Senate Banking Committee this week finished taking testimony from a long list of industrial representatives who urged the suspension of price controls on their commodities or asked

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Good Management in Canning Industry Cited by Heinz

Prices of canned foods have been kept amazingly low and have even declined during the last year, it was pointed out this week by N.C.A. President Fred C. Heinz in an address at the annual meeting of the Canners League of California.

As the result of good management, Mr. Heinz said, "the canning industry is one of the greatest forces for the preservation of a free economy."

"While the prices of everything else the consumer buys, including other types of food, have skyrocketed, this industry has succeeded in holding the line, when the line was being broken at almost every other point along the economic front."

"What lies behind this record? I submit that the answer is manage-

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PUBLICITY

Everywoman's Magazine

Canned foods are featured in two articles by Prudence Dorn, food editor, in the March issue of *Everywoman's* magazine.

In the article "Snow-Time Salads" the author says: "Sparkling, colorful, fresh flavored canned fruits make salad preparation as simple as a snowflake. Available in many, many varieties, all you need to do is whisk off the lids of the kinds you enjoy and arrange the fruits prettily. The fruits are available in different size cans from the perfect size for two to one large enough to take care of six. Choose the size of cans according to number of varieties you plan to use in the salad and the number being served. With canned fruits stored on the shelf, you are always sure of attractive, flavorful salads to serve to guests at any time."

Canned pears, peaches, apricots, grapefruit sections, pineapple, fruit cocktail, veal, and chicken are used in the six recipes.

"Timed for last minute cooks, these satisfying meals can be prepared and ready to serve in sixty minutes," begins the article entitled "One Hour Meals." Miss Dorn goes on to say, "Because of steady research by manufacturers, you are assured of improved good flavor and texture in these foods whenever you buy them." In the menu featuring canned foods luncheon meat, sauerkraut, tomatoes, and pineapple are used.

Both articles carry full-page color photographs.

Better Homes and Gardens

Corn and tuna are the featured "good-buy" foods in two articles in the March issue of *Better Homes and Gardens* magazine.

The first article, "Moneysaving Meals with 1 Can of Corn," begins: "Open a can of corn and treat your family to hearty eating. Choose whole kernel or cream-style corn—you're ready to make thrifty main dishes that will soon be family favorites." Four moneysaving canned corn recipes are given.

Mary Argenbright, the author of the second article, "Moneysaving Meals with 1 Can of Tuna," says: "Take a can of delicate-flavored tuna—make a handsome, thrifty main dish. It can be a casserole, hearty salad, quick skillet supper, easy-broiled sand-

wiches, or crusty French-fried croquettes." The article has eight tuna recipes.

Other canned foods used in the corn and tuna recipes are pimientos, tomato soup, cream of mushroom soup, cream of chicken soup, chow mein noodles, tomato juice, and ripe olives. Both articles are illustrated with black-and-white photographs of each of the dishes.

Woman's Home Companion

"Delicious recipes for the Lenten season and all year around" are featured in the article, "5 Ideas for Canny Cooks" in the March *Woman's Home Companion* magazine.

Author of the article, Mary Crumm of the *Companion* food staff, gives recipes using canned fish flakes, tuna, salmon, sardines, shrimp, salt codfish, crab meat, lobster, and condensed tomato soup.

The *Woman's Home Companion* reaches over 4,100,000 homes each month.

PERSONNEL

Northwest Cannery Association

The Northwest Cannery Association elected the following officers at the association's annual meeting:

President—E. I. Pitkin, Eugene Fruit Growers Assn., Eugene, Ore.; first vice president—James E. Klahre, Apple Growers Association, Hood River, Ore.; second vice-president—Vernon Whitney, Walla Walla Canning Co., Walla Walla, Wash.; executive vice president and secretary-treasurer—Cecil R. Tulley, Portland, Ore. (reelected).

Canners League of California

The Canners League of California elected the following officers at the association's annual directors conference:

President—Don H. Wood, Wood Canning Co., Stockton; vice presidents—R. G. Lucks, California Packing Corp., San Francisco (reelected), G. E. McDearmid, Libby, McNeill & Libby, San Francisco (reelected) and W. S. Everts, San Francisco (reelected); executive vice president—M. A. Clevenger, San Francisco (reelected); secretary—Miss Sylvia Kempton, San Francisco (reelected); treasurer—R. J. Marsh, San Francisco (reelected).

Federal Lobbying Act

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ascertainable standard of guilt." It further concluded that the penalty provision of the Act "manifestly deprives a person convicted of violating the statute, of his constitutional right of freedom of speech and his constitutional right to petition the legislative branch of the government," and is therefore equally in conflict with the Constitution.

Since the remaining sections of the Act, which require persons who engage for pay, or for any consideration, to attempt to influence the passage or defeat of legislation by Congress, to register with the Clerk of the House of Representatives and with the Secretary of the Senate, and to file certain quarterly reports, were not involved in the case, the Court did not rule on the constitutionality of these provisions.

It is probable that the Justice Department, charged with enforcement of the law, will appeal the case to the Supreme Court.

The N.C.A. has never taken the position that it was required by the Federal Regulation of Lobbying Act to register as an organization one of whose principal purposes is to engage in lobbying activities. In view of the inherent uncertainty as to the Act's requirements, it has, however, voluntarily filed quarterly reports disclosing its expenditures in connection with legislative matters.

Heinz at California

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ment," Mr. Heinz continued. "Every time a man at some factory figures out a way to pack a can of anything in half the time, or someone works out a better process, any time anyone in this industry hits upon a way to do something faster, or cheaper, or more efficiently, we have had an example of good management in action.

"I know no better way to measure the effectiveness of management than by studying its results," he declared. "And the results achieved in this industry, in terms of quality, popular acceptance and economical production, are impressive."

A press release reporting these comments by Mr. Heinz was issued by N.C.A.

STATISTICS

Canned Fruit and Vegetable Stocks and Shipments

Reports on canners' stocks and shipments of canned RSP cherries, green and wax beans, and tomatoes have been compiled by the N.C.A. Division of Statistics.

Green and Wax Bean Stocks and Shipments

	1950-51 (actual cases)	1951-52
Carryover, July	1,619,626	1,395,850
Pack	20,213,355	19,866,974
Total supply	21,832,981	21,262,824
Stocks, March 1	6,115,917	7,515,418
Shipments during Feb.	1,803,240	1,672,987
Shipments, July 1 to March 1	15,717,064	13,747,406

RSP Cherry Stocks and Shipments

	1950-51 (actual cases)	1951-52
Carryover, July 1	30,332	29,950
Pack	5,022,951	4,672,041
Total supply	5,053,283	4,701,991
Stocks, March 1	608,001	859,285
Shipments during Feb.	340,042	291,556
Shipments, July 1 to March 1	4,385,282	3,842,706

Canned Tomato Stocks and Shipments (Excluding California)

	Stocks Feb. 1, 1952	Stocks Mar. 1, 1952 (actual cases)
Northeast	213,732	172,655
Mid Atlantic	1,660,768	1,174,121
Midwest	1,280,277	967,071
West, excluding Calif.	310,284	233,309
South	230,838	407,514
Total, excluding Calif.	3,095,899	2,934,760

Figures which have been supplied by the Canners League of California are not available for March 1 and will not be available until the April 1 report.

1952 Sweet Potato Outlook

Sweet potato plantings in 1952 are indicated at 334,000 acres, 5 percent above the abnormally low 1951 planted acreage, according to the Bureau of Agricultural Economics. The acreage now indicated is still only slightly more than one-half the 1941-50 average of 632,000 acres, and is considerably less than recommended by USDA's acreage guides for 1952.

The sharpest expansion in acreage now indicated is in Texas and Louisiana where increases of 23 and 20 percent, respectively, are reported.

On the basis of average yield, the 1952 acreage would produce about 32 million bushels, 14 percent above 1951, but except for last year the smallest since 1883.

1952 Potato Outlook

Growers are expected to plant slightly less acreage to potatoes this year than was planted in 1951, according to the Bureau of Agricultural Economics. Reports indicate prospective plantings of 1,373,000 acres in 1952 as compared with last year's planted acreage of 1,379,000 acres and the 1941-50 average of 2,457,000 acres. Plantings now in prospect are smaller than for any year since 1867.

On the basis of average yield, the 1952 acreage would produce 334 million bushels, as compared with 1951 production of 326 million bushels.

Canned Meat Report

The quantity of meat canned and meat products processed under federal inspection during the four-week period January 28-February 16 has been reported by the Bureau of Animal Industry, USDA. However, this report represents only the supply of meat products canned during that period and available for civilian consumption. Total production, including quantities for defense agencies, was 210,493 thousand pounds.

Canned Meat and Meat Products Processed Under Federal Inspection Jan. 27-March 1, 1952

	3 Lbs. & over	Under 3 Lbs.	Total (in thousand pounds)
Luncheon meat	24,437	14,069	38,506
Canned hams	25,674	1,268	26,942
Corned beef hash	328	3,954	4,282
Chili con carne	1,470	8,483	9,953
Viennas	86	4,313	4,400
Frankfurters and wieners in brine	858	858	
Deviled ham	925	925	
Other potted and deviled meat products	3,963	3,963	
Tamales	204	2,896	3,100
Sliced, dried beef	61	584	645
Liver products	216	216	
Meat stew	80	7,401	7,480
Spaghetti meat products	148	5,614	5,757
Tongue (not pickled)	48	379	427
Vinegar pickled products	1,393	2,337	3,731
Bulk sausage	918	918	
Hamburger	21	1,360	1,380
Soups	1,469	57,281	58,750
Sausage in oil	232	500	741
Tripe	1,107	1,107	
Brains	459	459	
Bacon	62	264	326
All other products 20% or more meat	430	7,130	7,560
All other products less than 20% meat (except soup)	113	14,930	15,043
Total all products	56,260	141,218	197,479

Columns do not add to totals shown in all cases since rounded figures are used. Amounts packed for defense are not included in these items. Total production, including quantities for defense agencies, was 210,493 thousand pounds.

1952 Dry Bean Outlook

The smallest dry bean acreage in more than 30 years is in prospect for 1952, according to the Bureau of Agricultural Economics. Indications point to 1,414,000 acres to be planted this year, as compared with 1,523,000 acres in 1951.

All dry bean producing areas report reductions from last year. On the basis of average yield, the 1952 acreage would produce about 14.8 million 100-pound bags (uncleaned basis), about 15 percent below 1951 production.

DEFENSE

Parity Pass-through

Amendment 30 to the GCPR requires manufacturers and processors of agricultural commodities to send notices of parity pass-throughs under Section 11(b) of the GCPR to their OPS district offices, rather than to the national office, effective March 22.

Regional offices have simultaneously been authorized to receive and process these notices.

Amendment 30 to the GCPR is amended in the following respect:

Section 11(f) (1), (2), and (3) are amended so as to change the phrase "Director of Price Stabilization, Washington 25, D. C." to read "each District Director of the Office of Price Stabilization within whose district you have a selling unit, which means a separate place of business from which you make sales."

Suspension and Decontrol

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for outright repeal of the price control authority.

Chairman Maybank stated that the Committee would begin executive consideration of the subject of continuation of the Defense Production Act on March 26 with the intention of taking a bill to the Senate floor the following Monday, March 31.

Earlier, Senator Maybank had indicated a strong possibility that a formula for price decontrol or suspension and for recontrol would be recommended by the Committee. Since OPS will not have made its recommendation for a price control suspension formula within that time, it would appear that the Committee will draft a formula without the advice of the OPS.

Call for 1952 Directory Copy

A number of N.C.A. members have not returned to N.C.A. headquarters the forms for the 1952 *Canners Directory*. It is urged that these members make the necessary changes to bring their *Directory* listings up-to-date, and return the forms at once. Because of the printing schedule, the forms must be closed on receipt of mail April 1.

Child Labor Recordkeeping

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cate their objection to the proposed regulation should communicate with the N.C.A. at the earliest date possible.

§ 516.24 *Minors employed in agriculture*—(a) *Items required*. Every employer (other than a parent or a person standing in the place of a parent employing his own child or a child in his custody) who employs in agriculture any minor under 18 years of age shall, during every calendar week in which school is in session, maintain and preserve records containing the following information and data with respect to each and every such minor so employed:

- (1) Name in full. This shall be the same name as that used for Social Security.
- (2) Place where minor actually lives while employed.
- (3) Permanent home address. This shall be the permanent home address of the minor where mail can reach him.
- (4) Date of birth.
- (5) Occupation in which employed.
- (6) Place or places of employment.
- (7) Each calendar date on which any work is performed and the starting and stopping time for each period of work during such day.

Provided, however, The data required by this section need not be kept for any minor with respect to whom the employer has on file an official certificate of age issued in accordance with 29 CFR 4.1 et seq., showing such minor to be at least 16 years of age.

§ 516.25 *Other minors*—(a) *Items required*. Every employer who employs any employee under 19 years of age shall maintain and preserve the following information and data with respect to each and every such minor, except minors employed in agriculture with respect to whom the records in § 516.24 are required to be kept.

- (1) Name in full. This shall be the same name as that used for Social Security.

(2) Permanent home address. This shall be the permanent home address of the minor where mail can reach him.

(3) Date of birth.

(4) Occupation in which employed.

(5) Place or places of employment.

(6) Time of day and day of week on which the employee's workweek begins.

(7) Each calendar date on which any work is performed and the starting and stopping time for each period of work during such day. This data need not be kept for any minor with respect to whom the employer has on file an official age certificate issued in accordance with 29 CFR 4.1 et seq., showing such minor to be at least 16 years of age.

(8) Such other records as are required to be kept under Subpart A or Subpart B of this part, and under any other part of this chapter.

PROCUREMENT

Amounts of Canned Foods Procured from 1951 Pack

Amounts of canned fruits and vegetables procured by the Army Quartermaster Corps from the 1951 pack for use of all the armed forces, and including quantities for the Veterans Administration, were announced March 20 by the Department of Defense.

Except for relatively small quantities remaining, the program was vir-

tually completed by February 29. It is expected that awards for the balance will have been made not later than May 15.

Following are the quantities awarded by contract, balances to be procured, and anticipated date of completion:

Item	Canned Vegetables		Anticipated Date of Completion
	Awards to Feb. 29 (in thousand pounds)	Bal. to be Procured	
Asparagus.....	14,187	.....	Complete
Beans, lima.....	16,261	.....	Complete
Beans, string.....	37,432	822	Apr. 1
Carrots.....	8,873	2,390	Apr. 15
Catsup, tomato.....	44,544	.....	Complete
Corn, cream style.....	22,167	.....	Complete
Corn, whole kernel.....	30,696	104	Apr. 1
Juice, tomato.....	48,665	652	Apr. 1
Peas, green.....	80,908	.....	Complete
Potatoes, sweet.....	18,233	1,383	Apr. 15
Pumpkin.....	7,437	.....	Complete
Tomatoes.....	109,765	253	Apr. 1
Tomato paste.....	15,411	.....	Complete

Fruits and Juices			
Apples.....	28,314	2,260	Apr. 1
Apple sauce.....	8,602	3,601	Apr. 1
Apricots.....	23,378	.....	Complete
Berries.....	8,913	.....	Complete
Cherries, sour.....	35,420	.....	Complete
Cherries, sweet.....	5,306	.....	Complete
Figs.....	8,448	.....	Complete
Fruit cocktail.....	43,091	.....	Complete
Grapefruit.....	8,902	5,649	Apr. 15
Juice, apple.....	207	498	Apr. 15
Juice, grape.....	3,046	3,264	Apr. 1
Juice, grapefruit.....	4,895	7,090	May 15
Juice, orange.....	2,600	34,912	May 15
Juice, orange and grapefruit.....	4,706	25,195	May 15
Juice, pineapple.....	36,486	.....	Complete
Peaches.....	85,701	.....	Complete
Pears.....	32,972	.....	Complete
Pineapple, ATEC.....	29,766	Complete
Pineapple, crushed.....	12,492	Complete
Plums.....	7,579	Complete

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